

City Council
March 2, 2015

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, March 2, 2015, at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

Council Member Absent: Mark Singleton, Mayor Pro Tem

Others Present: Paul Stevens, City Manager
Clyde Melick, Director of Planning
Steve Chapman, City Attorney
Lori Saunders, City Secretary

Mayor Kevin Strength called the meeting to order. Assistant City Manager Michael Scott gave the invocation, led the pledge of allegiance and the Texas pledge of allegiance.

CONSENT AGENDA:

- a. Minutes of the regular City Council meeting of February 16, 2015
- b. Minutes of the regular Planning and Zoning Commission meeting of February 25, 2015
- c. Minutes of the Economic Development Commission meeting of February 11, 2015
- d. Minutes of the Heritage Preservation Commission meeting of January 15, 2015
- e. Minutes of the Mid-Way Airport Board meeting of January 8, 2015
- f. Minutes of the Rodeo Board meeting of February 19, 2015
- g. Approve wedding and reception at Chautauqua Auditorium for March 29, 2015

Councilmember Chuck Beatty moved to approve Items a. through g. on the Consent Agenda.
Councilmember Mary Lou Shipley seconded, All Ayes.

Mayor Strength introduced Mr. Ben Terry as Honorary Councilmember for the Month of March. Mr. Terry is a senior at Waxahachie High School and is expected to graduate in the top 7% in his class. He is actively involved in the Indian football program, track and field team, FFA, 4-H, National Skeet Shooting Association, WHS Male Leadership Academy and member of both the Technology Student Association and the National Honor Society. In his spare time, Ben enjoys participating in his church's AWANA youth program, shooting archery and trap, and spending time with friends. He plans to attend Texas A&M University in the fall pursuing an engineering degree with military intentions after college.

Ms. Linda Alvarez, Ellis County Hispanic Organization to request approval for the 7th Annual Cinco de Mayo Celebration to be held on May 2, 2015. The event will be held in Singleton Plaza from 11:00 a.m. to 8:00 p.m.

Ms. Amy Hollywood, Director of Communications and Marketing announced she and Ms. Alvarez are working together to provide a special screening of the Selena movie on Thursday or Friday prior to the event.

Councilmember Mary Lou Shipley moved to approve the 7th Annual Cinco de Mayo Celebration to be held on May 2, 2015 as presented and authorize City Staff to coordinate street closure for the screening of the movie Selena. Councilmember David Hill seconded, *All Ayes.*

Mayor Strength opened the Public Hearing to consider nominating Walgreen Co. for the Texas Enterprise Zone Program.

Mr. Todd Polarola, Walgreen Co. Distribution Manager, and Mr. Tan Vo, Grant Thornton Consulting, reported Walgreen Co. is considering an investment of approximately \$10 million for expansion of machinery and equipment for the distribution center. Mr. Polarola explained the nominating procedure is required by the enterprise zone program.

There being no others to speak for or against nominating Walgreen Co. for the enterprise zone program, Mayor Strength closed the Public Hearing.

Mr. Doug Barnes, Director of Economic Development, presented Ordinance No. 2784 nominating Walgreen Co. for enterprise zone project status.

ORDINANCE NO. 2784

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING WALGREEN CO. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT.

Councilmember Chuck Beatty moved to approve Ordinance No. 2784 as presented. Councilmember David Hill seconded, *All Ayes.*

Mayor Strength opened the Public Hearing on a request by Jay Hayes, for a Specific Use Permit for an accessory building in a Single Family-1 (SF-1) zoning district, located at 527 W. Jefferson St., being Lot 1A and Lot 4A, Block 86 of Town Addition, 1.49 acres. Owner: Mr. and Mrs. Mark Bowen (ZA 2015-03).

Mr. Jay Hayes, Applicant and Mr. Mark Bowen, Owner, requested to construct a new garage and living quarters. All other accessory buildings will be removed prior to construction.

There being no others to speak for or against Zoning Amendment Request 2015-03, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2785

ORDINANCE NO. 2785

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR LOT 1A AND LOT 4A, BLOCK 86, TOWN ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, CONTAINING 1.49 ACRES, LOCATED AT 527 WEST JEFFERSON STREET, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING SINGLE FAMILY-1 (SF-1) TO SINGLE FAMILY-1 WITH SPECIFIC USE PERMIT (SF-1 w/SUP) FOR THE PURPOSE OF ALLOWING AN ACCESSORY BUILDING, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Councilmember Chuck Beatty moved to approve Ordinance No. 2785 as presented.
Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Erik Barnard and Kyle Beller, for a zoning change approval from Light Industrial-1 (LI-1) to General Retail (GR) for the development of a retail property at 1795 Hwy 77, situated in Lot 1, Block A of Victory Park Addition, being 0.7319 acres. Owner: Dartco of Texas, LP (ZA 2015-04).

Mr. Erik Barnard, representing owner, reported the zoning change is to have better use of land for retail property.

There being no others to speak for or against Zoning Amendment Request 2015-04, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2786

ORDINANCE NO. 2786

AN ORDINANCE AUTHORIZING A ZONING CHANGE FOR LOT 1, BLOCK A, VICTORY PARK ADDITION, CONTAINING 0.7319 ACRE, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT 1795 HIGHWAY 77 NORTH, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-1 (LI-1) TO GENERAL RETAIL (GR) AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE

Councilmember David Hill moved to approve Ordinance No. 2786, subject to Staff Comments.
Councilmember Chuck Beatty seconded, **All Ayes.**

Mr. Jamie Gaugler, Hart, Gaugler and Associates, 1280 N. Central Expressway, Dallas, requested approval on a replat of Lot 1R and 2, Block A of Boykin Business Park, being 6.248 acres. - Owner: Waxahachie -387 Investment Venture Ltd. (RP 2015-04).

Mr. Clyde Melick, Director of Planning, reported the Applicant will be selling off the back lot being Lot 2, Block A, and it will be incorporated into the final plat of the Life School.

Councilmember Chuck Beatty moved to approve Replat of Lot 1R and 2, Block A of Boykin Business Park, being 6.248 acres. - Owner: Waxahachie -387 Investment Venture Ltd. (RP 2015-04). Councilmember Mary Lou Shipley seconded, **All Ayes.**

Mr. Shawn Thomas, Director of Operations, Life School, requested approval of Final Plat of Life School Waxahachie Addition, Lot 1, Block A, being 43.554 acres situated in the Peter B. Stout Survey, Abst. 1003, and Thomas Selby Survey, Abst. 1002. -Owner: Life School of Dallas (FP 2015-05).

Mr. Clyde Melick, Director of Planning, reported as-builts and bonds have not been received for this development.

Councilmember David Hill moved to approve Final Plat of Life School Waxahachie Addition, Lot 1, Block A, being 43.554 acres situated in the Peter B. Stout Survey, Abst. 1003, and Thomas Selby Survey, Abst. 1002. -Owner: Life School of Dallas (FP 2015-05), subject to Staff Comments. Councilmember Chuck Beatty seconded, **All Ayes.**

Citizens' Petitions and Requests

Several audience members spoke in reference to the Marvin Street Rehabilitation project and the City's decision to exclude the bulb outs and bike trail.

Those who spoke for the city's decision:

Becky Kauffman, 817 West Main
Jim Kauffman, 817 West Main
John Hamilton, 910 West Marvin
Brian Johnson 808 West Marvin

Those who spoke against the city's decision:

Betsy Engelbrechtsen, 608 W. Marvin
Tom Engelbrechtsen, 608 W. Marvin
Russell Williams, Waxahachie Running Club
Marie Q, Waxahachie Running Club
Rick Keeler, 316 Kirven

Comments by Mayor, City Council, City Attorney and City Manager

City Manager Paul Stevens acknowledged Police Officer Noelle Blain noting she recently was dispatched to Wal-Mart for theft. A young mother of an infant stole baby formula and diapers. Officer Blain paid for the items out of her own pocket rectifying the situation and releasing the mother.

There being no further business the meeting adjourned at 7:54 p.m.

Respectfully Submitted,

Lori Saunders
City Secretary